

These are forty-three (43) separate civil rights actions filed on February 6, 2006, by persons who are involuntarily confined through the Behavior Disorders Treatment Program operated by the South Carolina Department of Mental Health. The Court has previously designated a "lead case" for docket control purposes and has directed that the Complaint, which is identical in all 43 cases, be served on all defendants. [Doc. 12.] The plaintiffs have also been granted permission to serve and file one copy of any motion or pleading in the lead case for purposes of satisfying their responsibility to do so in all 43 cases. [Doc. 39.]

This matter is before the Court on the motion of one of the plaintiff's, Johnny Carrigg, to be dismissed from the case. The Court will treat it as a motion for voluntary dismissal pursuant to Fed. R. Civ. P. 41(a)(1), as the defendants have responded that they do not object to the dismissal of Plaintiff Carrigg.

CONCLUSION

Wherefore, it is RECOMMENDED that Plaintiff Johnny Carrigg's Motion for voluntary dismissal [Doc.29] be GRANTED and the plaintiff's claims against the defendants of whatever kind be DISMISSED without prejudice.

IT IS SO ORDERED AND RECOMMENDED.

s/Bruce H. Hendricks
United States Magistrate Judge

December 11, 2006
Greenville, South Carolina.